

TEXT OF AMENDMENTS MADE IN ORDER

**TEXT OF HOUSE AMENDMENT #1 TO THE SENATE AMENDMENT TO
H.R. 2642 MADE IN ORDER UNDER THE RULE**

**AMENDMENT TO THE SENATE AMENDMENT TO
H.R. 2642**

Page 60 of the Senate engrossed amendment, strike
lines 1 through 3 and insert the following:

1 TITLE IX—DEFENSE MATTERS

2 CHAPTER 1—SUPPLEMENTAL APPROPRIATIONS

3 FOR FISCAL YEAR 2008

4 DEPARTMENT OF DEFENSE—MILITARY

5 MILITARY PERSONNEL

6 MILITARY PERSONNEL, ARMY

7 For an additional amount for “Military Personnel,
8 Army”, \$11,807,655,000.

9 MILITARY PERSONNEL, NAVY

10 For an additional amount for “Military Personnel,
11 Navy”, \$866,753,000.

12 MILITARY PERSONNEL, MARINE CORPS

13 For an additional amount for “Military Personnel,
14 Marine Corps”, \$1,820,571,000.

15 MILITARY PERSONNEL, AIR FORCE

16 For an additional amount for “Military Personnel,
17 Air Force”, \$1,286,153,000.

1 RESERVE PERSONNEL, ARMY

2 For an additional amount for "Reserve Personnel,
3 Army", \$304,200,000.

4 RESERVE PERSONNEL, NAVY

5 For an additional amount for "Reserve Personnel,
6 Navy", \$72,800,000.

7 RESERVE PERSONNEL, MARINE CORPS

8 For an additional amount for "Reserve Personnel,
9 Marine Corps", \$16,720,000.

10 RESERVE PERSONNEL, AIR FORCE

11 For an additional amount for "Reserve Personnel,
12 Air Force", \$5,000,000.

13 NATIONAL GUARD PERSONNEL, ARMY

14 For an additional amount for "National Guard Per-
15 sonnel, Army", \$1,369,747,000.

16 NATIONAL GUARD PERSONNEL, AIR FORCE

17 For an additional amount for "National Guard Per-
18 sonnel, Air Force", \$4,000,000.

19 OPERATION AND MAINTENANCE

20 OPERATION AND MAINTENANCE, ARMY

21 For an additional amount for "Operation and Main-
22 tenance, Army", \$16,343,512,000.

1 OPERATION AND MAINTENANCE, NAVY

2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for "Operation and Main-
4 tenance, Navy", \$2,952,864,000: *Provided*, That up to
5 \$112,607,000 shall be transferred to the Coast Guard
6 "Operating Expenses" account.

7 OPERATION AND MAINTENANCE, MARINE CORPS

8 For an additional amount for "Operation and Main-
9 tenance, Marine Corps", \$159,900,000.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For an additional amount for "Operation and Main-
12 tenance, Air Force", \$5,922,520,000.

13 OPERATION AND MAINTENANCE, DEFENSE-WIDE

14 For an additional amount for "Operation and Main-
15 tenance, Defense-Wide", \$3,387,562,000, of which—

16 (1) not to exceed \$25,000,000 may be used for
17 the Combatant Commander Initiative Fund, to be
18 used in support of Operation Iraqi Freedom and Op-
19 eration Enduring Freedom; and

20 (2) not to exceed \$800,000,000, to remain
21 available until expended, may be used for payments
22 to reimburse key cooperating nations, for logistical,
23 military, and other support provided to United
24 States military operations, notwithstanding any
25 other provision of law: *Provided*, That these funds

1 may be used for the purpose of providing specialized
2 training and procuring supplies and specialized
3 equipment and providing such supplies and loaning
4 such equipment on a non-reimbursable basis to coali-
5 tion forces supporting United States military oper-
6 ations in Iraq and Afghanistan: *Provided further,*
7 That such payments may be made in such amounts
8 as the Secretary of Defense, with the concurrence of
9 the Secretary of State, and in consultation with the
10 Director of the Office of Management and Budget,
11 may determine, in his discretion, based on docu-
12 mentation determined by the Secretary of Defense to
13 adequately account for the support provided, and
14 such determination is final and conclusive upon the
15 accounting officers of the United States, and 15
16 days following notification to the appropriate con-
17 gressional committees: *Provided further,* That the
18 Secretary of Defense shall provide quarterly reports
19 to the congressional defense committees on the use
20 of funds provided in this paragraph:
21 *Provided further,* That of the amount available under this
22 heading for the Defense Contract Management Agency,
23 \$52,000,000 shall remain available until September 30,
24 2009.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For an additional amount for "Operation and Main-
3 tenance, Army Reserve", \$164,839,000.

4 OPERATION AND MAINTENANCE, NAVY RESERVE

5 For an additional amount for "Operation and Main-
6 tenance, Navy Reserve", \$109,876,000.

7 OPERATION AND MAINTENANCE, MARINE CORPS

8 RESERVE

9 For an additional amount for "Operation and Main-
10 tenance, Marine Corps Reserve", \$70,256,000.

11 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

12 For an additional amount for "Operation and Main-
13 tenance, Air Force Reserve", \$165,994,000.

14 OPERATION AND MAINTENANCE, ARMY NATIONAL

15 GUARD

16 For an additional amount for "Operation and Main-
17 tenance, Army National Guard", \$685,644,000.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For an additional amount for "Operation and Main-
20 tenance, Air National Guard", \$287,369,000.

21 IRAQ FREEDOM FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for "Iraq Freedom Fund",
24 \$50,000,000, to remain available for transfer until Sep-
25 tember 30, 2009, notwithstanding any other provision of

1 law, only for the redevelopment of the Iraqi industrial sec-
2 tor by identifying, and providing assistance to, factories
3 and other industrial facilities that are best situated to re-
4 sume operations quickly and reemploy the Iraqi workforce:
5 *Provided*, That the Secretary of Defense shall, not fewer
6 than 15 days prior to making transfers from this appro-
7 priation, notify the congressional defense committees in
8 writing of the details of any such transfer.

9 AFGHANISTAN SECURITY FORCES FUND

10 For an additional amount for "Afghanistan Security
11 Forces Fund", \$1,400,000,000, to remain available until
12 September 30, 2009.

13 IRAQ SECURITY FORCES FUND

14 (INCLUDING TRANSFER OF FUNDS)

15 For an additional amount for "Iraq Security Forces
16 Fund", \$1,500,000,000, to remain available until Sep-
17 tember 30, 2009: *Provided*, That such funds shall be avail-
18 able to the Secretary of Defense, notwithstanding any
19 other provision of law, for the purpose of allowing the
20 Commander, Multi-National Security Transition Com-
21 mand-Iraq, or the Secretary's designee, to provide assist-
22 ance, with the concurrence of the Secretary of State, to
23 the security forces of Iraq, including the provision of
24 equipment, supplies, services, training, facility and infra-
25 structure repair, renovation, and construction, and fund-

1 ing: *Provided further*, That none of the assistance provided
2 under this heading in the form of funds may be utilized
3 for the provision of salaries, wages, or bonuses to per-
4 sonnel of the Iraqi Security Forces: *Provided further*, That
5 the authority to provide assistance under this heading is
6 in addition to any other authority to provide assistance
7 to foreign nations: *Provided further*, That the Secretary
8 of Defense may transfer such funds to appropriations for
9 military personnel; operation and maintenance; Overseas
10 Humanitarian, Disaster, and Civic Aid; procurement; re-
11 search, development, test and evaluation; and defense
12 working capital funds to accomplish the purposes provided
13 herein: *Provided further*, That this transfer authority is
14 in addition to any other transfer authority available to the
15 Department of Defense: *Provided further*, That upon a de-
16 termination that all or part of the funds so transferred
17 from this appropriation are not necessary for the purposes
18 provided herein, such amounts may be transferred back
19 to this appropriation: *Provided further*, That contributions
20 of funds for the purposes provided herein from any person,
21 foreign government, or international organization may be
22 credited to this Fund, and used for such purposes: *Pro-*
23 *vided further*, That the Secretary shall notify the congres-
24 sional defense committees in writing upon the receipt and
25 upon the transfer of any contribution delineating the

1 sources and amounts of the funds received and the specific
2 use of such contributions: *Provided further*, That the Sec-
3 retary of Defense shall, not fewer than 15 days prior to
4 making transfers from this appropriation account, notify
5 the congressional defense committees in writing of the de-
6 tails of any such transfer: *Provided further*, That the Sec-
7 retary shall submit a report no later than 30 days after
8 the end of each fiscal quarter to the congressional defense
9 committees summarizing the details of the transfer of
10 funds from this appropriation.

11 PROCUREMENT

12 AIRCRAFT PROCUREMENT, ARMY

13 For an additional amount for "Aircraft Procurement,
14 Army", \$954,111,000, to remain available for obligation
15 until September 30, 2010.

16 MISSILE PROCUREMENT, ARMY

17 For an additional amount for "Missile Procurement,
18 Army", \$561,656,000, to remain available for obligation
19 until September 30, 2010.

20 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

21 VEHICLES, ARMY

22 For an additional amount for "Procurement of Weap-
23 ons and Tracked Combat Vehicles, Army",
24 \$5,393,471,000, to remain available for obligation until
25 September 30, 2010.

1 PROCUREMENT OF AMMUNITION, ARMY

2 For an additional amount for "Procurement of Am-
3 munition, Army", \$344,900,000, to remain available for
4 obligation until September 30, 2010.

5 OTHER PROCUREMENT, ARMY

6 For an additional amount for "Other Procurement,
7 Army", \$15,967,340,000, to remain available for obliga-
8 tion until September 30, 2010.

9 AIRCRAFT PROCUREMENT, NAVY

10 For an additional amount for "Aircraft Procurement,
11 Navy", \$3,411,254,000, to remain available for obligation
12 until September 30, 2010.

13 WEAPONS PROCUREMENT, NAVY

14 For an additional amount for "Weapons Procure-
15 ment, Navy", \$317,456,000, to remain available for obli-
16 gation until September 30, 2010.

17 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

18 CORPS

19 For an additional amount for "Procurement of Am-
20 munition, Navy and Marine Corps", \$304,945,000, to re-
21 main available for obligation until September 30, 2010.

22 OTHER PROCUREMENT, NAVY

23 For an additional amount for "Other Procurement,
24 Navy", \$1,260,135,000, to remain available for obligation
25 until September 30, 2010.

10

1 PROCUREMENT, MARINE CORPS

2 For an additional amount for "Procurement, Marine
3 Corps", \$2,153,390,000, to remain available for obligation
4 until September 30, 2010.

5 AIRCRAFT PROCUREMENT, AIR FORCE

6 For an additional amount for "Aircraft Procurement,
7 Air Force", \$7,028,563,000, to remain available for obli-
8 gation until September 30, 2010.

9 MISSILE PROCUREMENT, AIR FORCE

10 For an additional amount for "Missile Procurement,
11 Air Force", \$66,943,000, to remain available for obliga-
12 tion until September 30, 2010.

13 PROCUREMENT OF AMMUNITION, AIR FORCE

14 For an additional amount for "Procurement of Am-
15 munition, Air Force", \$205,455,000, to remain available
16 for obligation until September 30, 2010.

17 OTHER PROCUREMENT, AIR FORCE

18 For an additional amount for "Other Procurement,
19 Air Force", \$1,903,167,000, to remain available for obli-
20 gation until September 30, 2010.

21 PROCUREMENT, DEFENSE-WIDE

22 For an additional amount for "Procurement, De-
23 fense-Wide", \$408,209,000, to remain available for obli-
24 tion until September 30, 2010.

1 NATIONAL GUARD AND RESERVE EQUIPMENT

2 For an additional amount for “National Guard and
3 Reserve Equipment”, \$750,000,000, to remain available
4 for obligation until September 30, 2010: *Provided*, That
5 the Chiefs of the National Guard and Reserve components
6 shall, prior to the expenditure of funds, and not later than
7 30 days after the enactment of this Act, individually sub-
8 mit to the congressional defense committees an equipment
9 modernization priority assessment with a detailed plan for
10 the expenditure of funds for their respective National
11 Guard and Reserve components.

12 RESEARCH, DEVELOPMENT, TEST AND
13 EVALUATION14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
15 ARMY

16 For an additional amount for “Research, Develop-
17 ment, Test and Evaluation, Army”, \$162,958,000, to re-
18 main available until September 30, 2009.

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
20 NAVY

21 For an additional amount for “Research, Develop-
22 ment, Test and Evaluation, Navy”, \$366,110,000, to re-
23 main available until September 30, 2009.

12

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 AIR FORCE

3 For an additional amount for "Research, Develop-
4 ment, Test and Evaluation, Air Force", \$278,427,000, to
5 remain available until September 30, 2009.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
7 DEFENSE-WIDE

8 For an additional amount for "Research, Develop-
9 ment, Test and Evaluation, Defense-Wide",
10 \$816,598,000, to remain available until September 30,
11 2009.

12 REVOLVING AND MANAGEMENT FUNDS

13 DEFENSE WORKING CAPITAL FUNDS

14 For an additional amount for "Defense Working
15 Capital Funds", \$1,837,450,000, to remain available for
16 obligation until expended.

17 NATIONAL DEFENSE SEALIFT FUND

18 For an additional amount for "National Defense Sea-
19 lift Fund", \$5,110,000, to remain available for obligation
20 until expended.

21 OTHER DEPARTMENT OF DEFENSE PROGRAMS

22 DEFENSE HEALTH PROGRAM

23 For an additional amount for "Defense Health Pro-
24 gram", \$1,363,864,000, of which \$907,064,000 shall be
25 for operation and maintenance; of which \$91,900,000 is

1 for procurement to remain available until September 30,
2 2010; of which \$364,900,000 shall be for research, devel-
3 opment, test and evaluation, to remain available until Sep-
4 tember 30, 2009: *Provided*, That in addition to amounts
5 otherwise contained in this paragraph, \$75,000,000 is
6 hereby appropriated to the "Defense Health Program" for
7 operation and maintenance for psychological health and
8 traumatic brain injury, to remain available until Sep-
9 tember 30, 2009.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

11 DEFENSE

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for "Drug Interdiction and
14 Counter-Drug Activities, Defense", \$65,317,000, to re-
15 main available until September 30, 2009.

16 OFFICE OF THE INSPECTOR GENERAL

17 For an additional amount for "Office of the Inspector
18 General", \$6,394,000, of which \$2,000,000 shall be for
19 research, development, test and evaluation, to remain
20 available until September 30, 2009.

21 GENERAL PROVISIONS, THIS CHAPTER

22 SEC. 9101. Appropriations provided in this chapter
23 are available for obligation until September 30, 2008, un-
24 less otherwise provided in this chapter.

1 SEC. 9102. Notwithstanding any other provision of
2 law, funds made available in this chapter are in addition
3 to amounts appropriated or otherwise made available for
4 the Department of Defense for fiscal year 2008.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 9103. Upon the determination of the Secretary
7 of Defense that such action is necessary in the national
8 interest, the Secretary may transfer between appropria-
9 tions up to \$2,500,000,000 of the funds made available
10 to the Department of Defense in this chapter: *Provided*,
11 That the Secretary shall notify the Congress promptly of
12 each transfer made pursuant to the authority in this sec-
13 tion: *Provided further*, That the authority provided in this
14 section is in addition to any other transfer authority avail-
15 able to the Department of Defense and is subject to the
16 same terms and conditions as the authority provided in
17 section 8005 of Public Law 110-116, except for the fourth
18 proviso.

19 SEC. 9104. (a) From funds made available for oper-
20 ation and maintenance in this chapter to the Department
21 of Defense, not to exceed \$1,026,841,000 may be used,
22 notwithstanding any other provision of law, to fund the
23 Commander's Emergency Response Program, for the pur-
24 pose of enabling military commanders in Iraq, Afghani-
25 stan, and the Philippines to respond to urgent humani-

1 tarian relief and reconstruction requirements within their
2 areas of responsibility by carrying out programs that will
3 immediately assist the Iraqi, Afghan, and Filipino people.

4 (b) Not later than 15 days after the end of each fiscal
5 year quarter, the Secretary of Defense shall submit to the
6 congressional defense committees a report regarding the
7 source of funds and the allocation and use of funds during
8 that quarter that were made available pursuant to the au-
9 thority provided in this section or under any other provi-
10 sion of law for the purposes of the programs under sub-
11 section (a).

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 9105. During fiscal year 2008, the Secretary
14 of Defense may transfer not to exceed \$6,500,000 of the
15 amounts in or credited to the Defense Cooperation Ac-
16 count, pursuant to 10 U.S.C. 2608, to such appropriations
17 or funds of the Department of Defense as the Secretary
18 shall determine for use consistent with the purposes for
19 which such funds were contributed and accepted: *Pro-*
20 *vided*, That such amounts shall be available for the same
21 time period as the appropriation to which transferred:
22 *Provided further*, That the Secretary shall report to the
23 Congress all transfers made pursuant to this authority.

24 SEC. 9106. Of the amount appropriated by this chap-
25 ter under the heading "Drug Interdiction and Counter-

1 Drug Activities, Defense,” not to exceed \$20,000,000 may
2 be used for the provision of support for counter-drug ac-
3 tivities of the Governments of Afghanistan, Kazakhstan,
4 Kyrgyzstan, Pakistan, Tajikistan, and Turkmenistan, as
5 specified in section 1033 of the National Defense Author-
6 ization Act for Fiscal Year 1998 (Public Law 105–85, as
7 amended by Public Laws 106–398, 108–136, 109–364,
8 and 110–181): *Provided*, That such support shall be in
9 addition to support provided under any other provision of
10 the law.

11 SEC. 9107. Amounts provided in this chapter for op-
12 erations in Iraq and Afghanistan may be used by the De-
13 partment of Defense for the purchase of up to 20 heavy
14 and light armored vehicles for force protection purposes,
15 notwithstanding price or other limitations specified else-
16 where in the Department of Defense Appropriations Act,
17 2008 (Public Law 110–116), or any other provision of
18 law: *Provided*, That notwithstanding any other provision
19 of law, funds provided in Public Law 110–116 and Public
20 Law 110–161 under the heading “Other Procurement,
21 Navy” may be used for the purchase of 21 vehicles re-
22 quired for physical security of personnel, notwithstanding
23 price limitations applicable to passenger vehicles but not
24 to exceed \$255,000 per vehicle: *Provided further*, That the
25 Secretary of Defense shall submit a report in writing no

1 later than 30 days after the end of each fiscal quarter
2 notifying the congressional defense committees of any pur-
3 chase described in this section, including cost, purposes,
4 and quantities of vehicles purchased.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 9108. Section 8122(c) of Public Law 110-116
7 is amended by adding at the end the following:

8 “(4) Upon a determination that all or part of the
9 funds transferred under paragraph (1) are not necessary
10 to accomplish the purposes specified in subsection (b),
11 such amounts may be transferred back to the ‘Mine Re-
12 sistant Ambush Protected Vehicle Fund’.”.

13 SEC. 9109. Notwithstanding any other provision of
14 law, not to exceed \$150,000,000 of funds made available
15 in this chapter may be obligated to conduct or support
16 a program to build the capacity of a foreign country’s na-
17 tional military forces in order for that country to conduct
18 counterterrorist operations or participate in or support
19 military and stability operations in which the U.S. Armed
20 Forces are a participant: *Provided*, That funds available
21 pursuant to the authority in this section shall be subject
22 to the same restrictions, limitations, and reporting re-
23 quirements as funds available pursuant to section 1206
24 of Public Law 109-163 as amended.

1 CHAPTER 2—BRIDGE FUND SUPPLEMENTAL

2 APPROPRIATIONS FOR FISCAL YEAR 2009

3 DEPARTMENT OF DEFENSE—MILITARY

4 MILITARY PERSONNEL

5 MILITARY PERSONNEL, ARMY

6 For an additional amount for “Military Personnel,
7 Army”, \$839,000,000.

8 MILITARY PERSONNEL, NAVY

9 For an additional amount for “Military Personnel,
10 Navy”, \$75,000,000.

11 MILITARY PERSONNEL, MARINE CORPS

12 For an additional amount for “Military Personnel,
13 Marine Corps”, \$55,000,000.

14 MILITARY PERSONNEL, AIR FORCE

15 For an additional amount for “Military Personnel,
16 Air Force”, \$75,000,000.

17 NATIONAL GUARD PERSONNEL, ARMY

18 For an additional amount for “National Guard Per-
19 sonnel, Army”, \$150,000,000.

20 OPERATION AND MAINTENANCE

21 OPERATION AND MAINTENANCE, ARMY

22 For an additional amount for “Operation and Main-
23 tenance, Army”, \$37,300,000,000.

1 OPERATION AND MAINTENANCE, NAVY

2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for "Operation and Main-
4 tenance, Navy", \$3,500,000,000: *Provided*, That up to
5 \$112,000,000 shall be transferred to the Coast Guard
6 "Operating Expenses" account.

7 OPERATION AND MAINTENANCE, MARINE CORPS

8 For an additional amount for "Operation and Main-
9 tenance, Marine Corps", \$2,900,000,000.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For an additional amount for "Operation and Main-
12 tenance, Air Force", \$5,000,000,000.

13 OPERATION AND MAINTENANCE, DEFENSE-WIDE

14 For an additional amount for "Operation and Main-
15 tenance, Defense-Wide", \$2,648,569,000, of which not to
16 exceed \$200,000,000, to remain available until expended,
17 may be used for payments to reimburse key cooperating
18 nations, for logistical, military, and other support provided
19 to United States military operations, notwithstanding any
20 other provision of law: *Provided*, That these funds may
21 be used for the purpose of providing specialized training
22 and procuring supplies and specialized equipment and pro-
23 viding such supplies and loaning such equipment on a non-
24 reimbursable basis to coalition forces supporting United
25 States military operations in Iraq and Afghanistan: *Pro-*

1 *vided further*, That such payments may be made in such
2 amounts as the Secretary of Defense, with the concurrence
3 of the Secretary of State, and in consultation with the Di-
4 rector of the Office of Management and Budget, may de-
5 termine, in his discretion, based on documentation deter-
6 mined by the Secretary of Defense to adequately account
7 for the support provided, and such determination is final
8 and conclusive upon the accounting officers of the United
9 States, and 15 days following notification to the appro-
10 priate congressional committees: *Provided further*, That
11 the Secretary of Defense shall provide quarterly reports
12 to the congressional defense committees on the use of
13 funds provided in this paragraph.

14 OPERATION AND MAINTENANCE, ARMY RESERVE

15 For an additional amount for "Operation and Main-
16 tenance, Army Reserve", \$79,291,000.

17 OPERATION AND MAINTENANCE, NAVY RESERVE

18 For an additional amount for "Operation and Main-
19 tenance, Navy Reserve", \$42,490,000.

20 OPERATION AND MAINTENANCE, MARINE CORPS

21 RESERVE

22 For an additional amount for "Operation and Main-
23 tenance, Marine Corps Reserve", \$47,076,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For an additional amount for "Operation and Main-
3 tenance, Air Force Reserve", \$12,376,000.

4 OPERATION AND MAINTENANCE, ARMY NATIONAL
5 GUARD

6 For an additional amount for "Operation and Main-
7 tenance, Army National Guard", \$333,540,000.

8 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

9 For an additional amount for "Operation and Main-
10 tenance, Air National Guard", \$52,667,000.

11 AFGHANISTAN SECURITY FORCES FUND

12 For an additional amount for "Afghanistan Security
13 Forces Fund", \$2,000,000,000, to remain available until
14 September 30, 2009.

15 IRAQ SECURITY FORCES FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For "Iraq Security Forces Fund", \$1,000,000,000,
18 to remain available until September 30, 2009: *Provided*,
19 That such funds shall be available to the Secretary of De-
20 fense, notwithstanding any other provision of law, for the
21 purpose of allowing the Commander, Multi-National Secu-
22 rity Transition Command-Iraq, or the Secretary's des-
23 ignee, to provide assistance, with the concurrence of the
24 Secretary of State, to the security forces of Iraq, including
25 the provision of equipment, supplies, services, training, fa-

1 cility and infrastructure repair, renovation, and construc-
2 tion, and funding: *Provided further*, That none of the as-
3 sistance provided under this heading in the form of funds
4 may be utilized for the provision of salaries, wages, or bo-
5 nuses to personnel of the Iraqi Security Forces: *Provided*
6 *further*, That the authority to provide assistance under
7 this heading is in addition to any other authority to pro-
8 vide assistance to foreign nations: *Provided further*, That
9 the Secretary of Defense may transfer such funds to ap-
10 propriations for military personnel; operation and mainte-
11 nance; Overseas Humanitarian, Disaster, and Civic Aid;
12 procurement; research, development, test and evaluation;
13 and defense working capital funds to accomplish the pur-
14 poses provided herein: *Provided further*, That this transfer
15 authority is in addition to any other transfer authority
16 available to the Department of Defense: *Provided further*,
17 That upon a determination that all or part of the funds
18 so transferred from this appropriation are not necessary
19 for the purposes provided herein, such amounts may be
20 transferred back to this appropriation: *Provided further*,
21 That contributions of funds for the purposes provided
22 herein from any person, foreign government, or inter-
23 national organization may be credited to this Fund, and
24 used for such purposes: *Provided further*, That the Sec-
25 retary shall notify the congressional defense committees

1 in writing upon the receipt and upon the transfer of any
2 contribution delineating the sources and amounts of the
3 funds received and the specific use of such contributions:
4 *Provided further*, That the Secretary of Defense shall, not
5 fewer than 15 days prior to making transfers from this
6 appropriation account, notify the congressional defense
7 committees in writing of the details of any such transfer:
8 *Provided further*, That the Secretary shall submit a report
9 no later than 30 days after the end of each fiscal quarter
10 to the congressional defense committees summarizing the
11 details of the transfer of funds from this appropriation.

12 PROCUREMENT

13 AIRCRAFT PROCUREMENT, ARMY

14 For an additional amount for "Aircraft Procurement,
15 Army", \$84,000,000 to remain available for obligation
16 until September 30, 2011.

17 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

18 VEHICLES, ARMY

19 For an additional amount for "Procurement of Weap-
20 ons and Tracked Combat Vehicles, Army", \$822,674,000,
21 to remain available for obligation until September 30,
22 2011.

1 PROCUREMENT OF AMMUNITION, ARMY

2 For an additional amount for "Procurement of Am-
3 munition, Army", \$46,500,000, to remain available for ob-
4 ligation until September 30, 2011.

5 OTHER PROCUREMENT, ARMY

6 For an additional amount for "Other Procurement,
7 Army", \$1,009,050,000, to remain available for obligation
8 until September 30, 2011.

9 OTHER PROCUREMENT, NAVY

10 For an additional amount for "Other Procurement,
11 Navy", \$27,948,000, to remain available for obligation
12 until September 30, 2011.

13 PROCUREMENT, MARINE CORPS

14 For an additional amount for "Procurement, Marine
15 Corps", \$565,425,000, to remain available for obligation
16 until September 30, 2011.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For an additional amount for "Aircraft Procurement,
19 Air Force", \$201,842,000, to remain available for obliga-
20 tion until September 30, 2011.

21 OTHER PROCUREMENT, AIR FORCE

22 For an additional amount for "Other Procurement,
23 Air Force", \$1,500,644,000, to remain available for obli-
24 gation until September 30, 2011.

1 PROCUREMENT, DEFENSE-WIDE

2 For an additional amount for “Procurement, De-
3 fense-Wide”, \$177,237,000, to remain available for obliga-
4 tion until September 30, 2011.

5 RESEARCH, DEVELOPMENT, TEST AND
6 EVALUATION

7 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
8 NAVY

9 For an additional amount for “Research, Develop-
10 ment, Test and Evaluation, Navy”, \$113,228,000, to re-
11 main available until September 30, 2010.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
13 AIR FORCE

14 For an additional amount for “Research, Develop-
15 ment, Test and Evaluation, Air Force”, \$72,041,000, to
16 remain available until September 30, 2010.

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
18 DEFENSE-WIDE

19 For an additional amount for “Research, Develop-
20 ment, Test and Evaluation, Defense-Wide”,
21 \$202,559,000, to remain available until September 30,
22 2010.

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

2 DEFENSE HEALTH PROGRAM

3 For an additional amount for "Defense Health Pro-
4 gram", \$1,100,000,000 for operation and maintenance.

5 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
6 DEFENSE

7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for "Drug Interdiction and
9 Counter-Drug Activities, Defense", \$188,000,000.

10 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for "Joint Improvised Ex-
13 plosive Device Defeat Fund", \$2,000,000,000 to remain
14 available until September 30, 2011: *Provided*, That such
15 funds shall be available to the Secretary of Defense, not-
16 withstanding any other provision of law, for the purpose
17 of allowing the Director of the Joint Improvised Explosive
18 Device Defeat Organization to investigate, develop and
19 provide equipment, supplies, services, training, facilities,
20 personnel and funds to assist United States forces in the
21 defeat of improvised explosive devices: *Provided further*,
22 That within 60 days of the enactment of this Act, a plan
23 for the intended management and use of the amounts pro-
24 vided under this heading shall be submitted to the con-
25 gressional defense committees: *Provided further*, That the

1 Secretary of Defense shall submit a report not later than
2 60 days after the end of each fiscal quarter to the congres-
3 sional defense committees providing assessments of the
4 evolving threats, individual service requirements to
5 counter the threats, the current strategy for
6 predeployment training of members of the Armed Forces
7 on improvised explosive devices, and details on the execu-
8 tion of the Fund: *Provided further*, That the Secretary of
9 Defense may transfer funds provided herein to appropria-
10 tions for operation and maintenance; procurement; re-
11 search, development, test and evaluation; and defense
12 working capital funds to accomplish the purpose provided
13 herein: *Provided further*, That this transfer authority is
14 in addition to any other transfer authority available to the
15 Department of Defense: *Provided further*, That the Sec-
16 retary of Defense shall, not fewer than 15 days prior to
17 making transfers from this appropriation, notify the con-
18 gressional defense committees in writing of the details of
19 any such transfer.

20 GENERAL PROVISIONS, THIS CHAPTER

21 SEC. 9201. Appropriations provided in this chapter
22 are not available for obligation until October 1, 2008.

23 SEC. 9202. Appropriations provided in this chapter
24 are available for obligation until September 30, 2009, un-
25 less otherwise provided in this chapter.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9203. Upon the determination of the Secretary
3 of Defense that such action is necessary in the national
4 interest, the Secretary may transfer between appropria-
5 tions up to \$4,000,000,000 of the funds made available
6 to the Department of Defense in this chapter: *Provided*,
7 That the Secretary shall notify the Congress promptly of
8 each transfer made pursuant to the authority in this sec-
9 tion: *Provided further*, That the authority provided in this
10 section is in addition to any other transfer authority avail-
11 able to the Department of Defense and is subject to the
12 same terms and conditions as the authority provided in
13 section 8005 of Public Law 110–116, except for the fourth
14 proviso.

15 SEC. 9204. (a) Not later than December 5, 2008 and
16 every 90 days thereafter through the end of fiscal year
17 2009, the Secretary of Defense, in consultation with the
18 Secretary of State, shall set forth in a report to Congress
19 a comprehensive set of performance indicators and meas-
20 ures for progress toward military and political stability in
21 Iraq.

22 (b) The report shall include performance standards
23 and goals for security, economic, and security force train-
24 ing objectives in Iraq together with a notional timetable
25 for achieving these goals.

1 (c) In specific, the report requires, at a minimum,
2 the following:

3 (1) With respect to stability and security in
4 Iraq, the following:

5 (A) Key measures of political stability, in-
6 cluding the important political milestones that
7 must be achieved over the next several years.

8 (B) The primary indicators of a stable se-
9 curity environment in Iraq, such as number of
10 engagements per day, numbers of trained Iraqi
11 forces, trends relating to numbers and types of
12 ethnic and religious-based hostile encounters,
13 and progress made in the transition of responsi-
14 bility for the security of Iraqi provinces to the
15 Iraqi Security Forces under the Provincial Iraqi
16 Control (PIC) process.

17 (C) An assessment of the estimated
18 strength of the insurgency in Iraq and the ex-
19 tent to which it is composed of non-Iraqi fight-
20 ers.

21 (D) A description of all militias operating
22 in Iraq, including the number, size, equipment
23 strength, military effectiveness, sources of sup-
24 port, legal status, and efforts to disarm or re-
25 integrate each militia.

1 (E) Key indicators of economic activity
2 that should be considered the most important
3 for determining the prospects of stability in
4 Iraq, including—

- 5 (i) unemployment levels;
6 (ii) electricity, water, and oil produc-
7 tion rates; and
8 (iii) hunger and poverty levels.

9 (F) The most recent annual budget for the
10 Government of Iraq, including a description of
11 amounts budgeted for support of Iraqi security
12 and police forces and an assessment of how
13 planned funding will impact the training, equip-
14 ping and overall readiness of those forces.

15 (G) The criteria the Administration will
16 use to determine when it is safe to begin with-
17 drawing United States forces from Iraq.

18 (2) With respect to the training and perform-
19 ance of security forces in Iraq, the following:

20 (A) The training provided Iraqi military
21 and other Ministry of Defense forces and the
22 equipment used by such forces.

23 (B) Key criteria for assessing the capabili-
24 ties and readiness of the Iraqi military and
25 other Ministry of Defense forces, goals for

1 achieving certain capability and readiness levels
2 (as well as for recruiting, training, and equip-
3 ping these forces), and the milestones and no-
4 tional timetable for achieving these goals.

5 (C) The operational readiness status of the
6 Iraqi military forces, including the type, num-
7 ber, size, and organizational structure of Iraqi
8 battalions that are—

9 (i) capable of conducting
10 counterinsurgency operations independ-
11 ently without any support from Coalition
12 Forces;

13 (ii) capable of conducting
14 counterinsurgency operations with the sup-
15 port of United States or coalition forces; or

16 (iii) not ready to conduct
17 counterinsurgency operations.

18 (D) The amount and type of support pro-
19 vided by Coalition Forces to the Iraqi Security
20 Forces at each level of operational readiness.

21 (E) The number of Iraqi battalions in the
22 Iraqi Army currently conducting operations and
23 the type of operations being conducted.

1 (F) The rates of absenteeism in the Iraqi
2 military forces and the extent to which insur-
3 gents have infiltrated such forces.

4 (G) The training provided Iraqi police and
5 other Ministry of Interior forces and the equip-
6 ment used by such forces.

7 (H) The level and effectiveness of the Iraqi
8 Security Forces under the Ministry of Defense
9 in provinces where the United States has for-
10 mally transferred responsibility for the security
11 of the province to the Iraqi Security Forces
12 under the Provincial Iraqi Control (PIC) proc-
13 ess.

14 (I) Key criteria for assessing the capabili-
15 ties and readiness of the Iraqi police and other
16 Ministry of Interior forces, goals for achieving
17 certain capability and readiness levels (as well
18 as for recruiting, training, and equipping), and
19 the milestones and notional timetable for
20 achieving these goals, including—

21 (i) the number of police recruits that
22 have received classroom training and the
23 duration of such instruction;

1 (ii) the number of veteran police offi-
2 cers who have received classroom instruc-
3 tion and the duration of such instruction;

4 (iii) the number of police candidates
5 screened by the Iraqi Police Screening
6 Service, the number of candidates derived
7 from other entry procedures, and the suc-
8 cess rates of those groups of candidates;

9 (iv) the number of Iraqi police forces
10 who have received field training by inter-
11 national police trainers and the duration of
12 such instruction;

13 (v) attrition rates and measures of ab-
14 senteeism and infiltration by insurgents;
15 and

16 (vi) the level and effectiveness of the
17 Iraqi Police and other Ministry of Interior
18 Forces in provinces where the United
19 States has formally transferred responsi-
20 bility for the security of the province to the
21 Iraqi Security Forces under the Provincial
22 Iraqi Control (PIC) process.

23 (J) The estimated total number of Iraqi
24 battalions needed for the Iraqi security forces
25 to perform duties now being undertaken by coa-

1 lition forces, including defending the borders of
2 Iraq and providing adequate levels of law and
3 order throughout Iraq.

4 (K) The effectiveness of the Iraqi military
5 and police officer cadres and the chain of com-
6 mand.

7 (L) The number of United States and coa-
8 lition advisors needed to support the Iraqi secu-
9 rity forces and associated ministries.

10 (M) An assessment, in a classified annex if
11 necessary, of United States military require-
12 ments, including planned force rotations,
13 through the end of calendar year 2009.

14 SEC. 9205. (a) REPORT BY SECRETARY OF DE-
15 FENSE.—Not later than 30 days after the date of the en-
16 actment of this Act, the Secretary of Defense shall submit
17 to the congressional defense committees a report that con-
18 tains individual transition readiness assessments by unit
19 of Iraq and Afghan security forces. The Secretary of De-
20 fense shall submit to the congressional defense committees
21 updates of the report required by this subsection every 90
22 days after the date of the submission of the report until
23 October 1, 2009. The report and updates of the report
24 required by this subsection shall be submitted in classified
25 form.

1 (b) REPORT BY OMB.—(1) The Director of the Of-
2 fice of Management and Budget, in consultation with the
3 Secretary of Defense; the Commander, Multi-National Se-
4 curity Transition Command—Iraq; and the Commander,
5 Combined Security Transition Command—Afghanistan,
6 shall submit to the congressional defense committees not
7 later than 120 days after the date of the enactment of
8 this Act and every 90 days thereafter a report on the pro-
9 posed use of all funds under each of the headings “Iraq
10 Security Forces Fund” and “Afghanistan Security Forces
11 Fund” on a project-by-project basis, for which the obliga-
12 tion of funds is anticipated during the three-month period
13 from such date, including estimates by the commanders
14 referred to in this paragraph of the costs required to com-
15 plete each such project.

16 (2) The report required by this subsection shall in-
17 clude the following:

18 (A) The use of all funds on a project-by-project
19 basis for which funds appropriated under the head-
20 ings referred to in paragraph (1) were obligated
21 prior to the submission of the report, including esti-
22 mates by the commanders referred to in paragraph
23 (1) of the costs to complete each project.

24 (B) The use of all funds on a project-by-project
25 basis for which funds were appropriated under the

1 headings referred to in paragraph (1) in prior appro-
2 priations Acts, or for which funds were made avail-
3 able by transfer, reprogramming, or allocation from
4 other headings in prior appropriations Acts, includ-
5 ing estimates by the commanders referred to in
6 paragraph (1) of the costs to complete each project.

7 (C) An estimated total cost to train and equip
8 the Iraq and Afghan security forces, disaggregated
9 by major program and sub-elements by force,
10 arrayed by fiscal year.

11 (c) NOTIFICATION.—The Secretary of Defense shall
12 notify the congressional defense committees of any pro-
13 posed new projects or transfers of funds between sub-ac-
14 tivity groups in excess of \$15,000,000 using funds appro-
15 priated by this Act under the headings “Iraq Security
16 Forces Fund” and “Afghanistan Security Forces Fund”.

17 SEC. 9206. Funds available to the Department of De-
18 fense for operation and maintenance provided in this chap-
19 ter may be used, notwithstanding any other provision of
20 law, to provide supplies, services, transportation, including
21 airlift and sealift, and other logistical support to coalition
22 forces supporting military and stability operations in Iraq
23 and Afghanistan: *Provided*, That the Secretary of Defense
24 shall provide quarterly reports to the congressional de-

1 fense committees regarding support provided under this
2 section.

3 SEC. 9207. Supervision and administration costs as-
4 sociated with a construction project funded with appro-
5 priations available for operation and maintenance, "Af-
6 ghanistan Security Forces Fund" or "Iraq Security
7 Forces Fund" provided in this chapter, and executed in
8 direct support of the Global War on Terrorism only in Iraq
9 and Afghanistan, may be obligated at the time a construc-
10 tion contract is awarded: *Provided*, That for the purpose
11 of this section, supervision and administration costs in-
12 clude all in-house Government costs.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 9208. (a) Notwithstanding any other provision
15 of law, and in addition to amounts otherwise made avail-
16 able by this Act, there is appropriated \$1,700,000,000 for
17 the "Mine Resistant Ambush Protected Vehicle Fund", to
18 remain available until September 30, 2009.

19 (b) The funds provided by subsection (a) shall be
20 available to the Secretary of Defense to continue techno-
21 logical research and development and upgrades, to procure
22 Mine Resistant Ambush Protected vehicles and associated
23 support equipment, and to sustain, transport, and field
24 Mine Resistant Ambush Protected vehicles.

1 (c)(1) The Secretary of Defense shall transfer funds
2 provided by subsection (a) to appropriations for operation
3 and maintenance; procurement; and research, develop-
4 ment, test and evaluation to accomplish the purposes spec-
5 ified in subsection (b). Such transferred funds shall be
6 merged with and be available for the same purposes and
7 for the same time period as the appropriation to which
8 they are transferred.

9 (2) The transfer authority provided by this subsection
10 shall be in addition to any other transfer authority avail-
11 able to the Department of Defense.

12 (3) The Secretary of Defense shall, not less than 15
13 days prior to making any transfer under this subsection,
14 notify the congressional defense committees in writing of
15 the details of the transfer.

16 SEC. 9209. For the purposes of this Act, the term
17 “congressional defense committees” means the Armed
18 Services Committee of the House of Representatives, the
19 Armed Services Committee of the Senate, the Sub-
20 committee on Defense of the Committee on Appropriations
21 of the Senate, and the Subcommittee on Defense of the
22 Committee on Appropriations of the House of Representa-
23 tives.

1 CHAPTER 3—GENERAL PROVISIONS, THIS
2 TITLE

3 SEC. 9301. Each amount in this title is designated
4 as an emergency requirement and necessary to meet emer-
5 gency needs pursuant to subsections (a) and (b) of section
6 204 of S. Con. Res. 21 (110th Congress), the concurrent
7 resolution on the budget for fiscal year 2008.

8 SEC. 9302. Funds appropriated by this title, or made
9 available by the transfer of funds in this title, for intel-
10 ligence activities are deemed to be specifically authorized
11 by the Congress for purposes of section 504(a)(1) of the
12 National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 9303. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

19 (1) Section 2340A of title 18, United States
20 Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Fed-

1 eral Regulations, and part 95 of title 22, Code of
2 Federal Regulations.

3 (3) Sections 1002 and 1003 of the Department
4 of Defense, Emergency Supplemental Appropriations
5 to Address Hurricanes in the Gulf of Mexico, and
6 Pandemic Influenza Act, 2006 (Public Law 109–
7 148).

8 SEC. 9304. (a) REPORT REQUIRED.—Not later than
9 120 days after the date of the enactment of this Act, the
10 Secretary of Defense, the Secretary of State, and the Sec-
11 retary of Homeland Security, in coordination with the
12 Chairman of the Joint Chiefs of Staff and the Director
13 of National Intelligence, shall jointly submit to Congress
14 a report setting forth the global strategy of the United
15 States to combat and defeat al Qaeda and its affiliates.

16 (b) ELEMENTS OF STRATEGY.—The strategy set
17 forth in the report required under subsection (a) shall in-
18 clude the following elements:

19 (1) An analysis of the global threat posed by al
20 Qaeda and its affiliates, including an assessment of
21 the relative threat posed in particular regions or
22 countries.

23 (2) Recommendations regarding the distribution
24 and deployment of United States military, intel-
25 ligence, diplomatic, and other assets to meet the rel-

1 ative regional and country- specific threats described
2 in paragraph (1).

3 (3) Recommendations to ensure that the global
4 deployment of United States military personnel and
5 equipment best meet the threat identified and de-
6 scribed in paragraph (1) and:

7 (A) does not undermine the military readi-
8 ness or homeland security of the United States;

9 (B) ensures adequate time between mili-
10 tary deployments for rest and training; and

11 (C) does not require further extensions of
12 military deployments to the extent practicable.

13 (c) CLASSIFIED ANNEX.—The report required by
14 subsection (a) shall be submitted in unclassified form, but
15 shall include a classified annex.

16 SEC. 9305. None of the funds provided in this title
17 may be used to finance programs or activities denied by
18 Congress in fiscal years 2007 or 2008 appropriations to
19 the Department of Defense or to initiate a procurement
20 or research, development, test and evaluation new start
21 program without prior written notification to the congres-
22 sional defense committees.

23 SEC. 9306. Section 1002(c)(2) of the National De-
24 fense Authorization Act, Fiscal Year 2008 (Public Law

1 110–181) is amended by striking “\$362,159,000” and in-
2 serting “\$435,259,000”.

3 SEC. 9307. None of the funds appropriated or other-
4 wise made available by this title may be obligated or ex-
5 pended to provide award fees to any defense contractor
6 contrary to the provisions of section 814 of the National
7 Defense Authorization Act, Fiscal Year 2007 (Public Law
8 109–364).

9 (RESCISSIONS)

10 SEC. 9308. (a) Of the funds made available for “De-
11 fense Health Program” in Public Law 110–28,
12 \$75,000,000 is rescinded.

13 (b) Of the funds made available for “Joint Impro-
14 vised Explosive Device Defeat Fund” in Division L of the
15 Consolidated Appropriations Act, 2008 (Public Law 110–
16 161), \$71,531,000 is rescinded.

17 SEC. 9309. Of the funds appropriated in the U.S.
18 Troop Readiness, Veterans’ Care, Katrina Recovery, and
19 Iraq Accountability Appropriations Act, 2007 (Public Law
20 110–28) which remain available for obligation under the
21 “Iraq Freedom Fund”, \$150,000,000 is only for the Joint
22 Rapid Acquisition Cell, and \$10,000,000 is only for the
23 transportation of fallen service members.

24 SEC. 9310. Funds available in this title which are
25 available to the Department of Defense for operation and

1 maintenance may be used to purchase items having an in-
2 vestment unit cost of not more than \$250,000: *Provided*,
3 That upon determination by the Secretary of Defense that
4 such action is necessary to meet the operational require-
5 ments of a Commander of a Combatant Command en-
6 gaged in contingency operations overseas, such funds may
7 be used to purchase items having an investment item unit
8 cost of not more than \$500,000.

